

REGION 6 EXECUTIVE SUMMARY

TOPIC: Region 6 Drinking Water Rule Implementation in Oklahoma

DATE: 9/26/12

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PURPOSE/ACTION NEEDED: ODEQ adopt and implement 3 new drinking water regulations

DEADLINE DATE: past due

BACKGROUND:

Since 2006, when 3 new drinking water regulations started to become effective, ODEQ has stated that until additional resources are made available, ODEQ will not adopt or implement any new drinking water regulations. As such, the EPA Region 6 Drinking Water Section has been directly implementing and enforcing three new drinking water regulations that have become effective during this time. These regulations include the Stage 2 Disinfection By-Products Rule (effective Oct. 2006), Long-Term 2 Enhanced Surface Water Treatment Rule (effective Jan 2008), and the Ground Water Rule (effective Dec 2009).

CURRENT STATUS:

To date, over 40 training sessions have been provided, over 1,200 sample plans and waivers have been reviewed, and over 3,000 letters have been sent to Oklahoma public water systems. Region 6 is expending approximately 4 FTE, spread over all 12 Drinking Water Section staff, in implementing regulations in Oklahoma. This has negatively impacted tribal drinking water program implementation, state PWSS oversight, data management, and Area Wide Optimization Program implementation. To be more effective in implementing new rule requirements in Oklahoma, Region 6 has established electronic laboratory reporting direct from laboratories to the Safe Drinking Water Information System (SDWIS) database. This has allowed automated compliance determination capabilities and reduced data entry, improving data quality and facilitating more rapid compliance determinations.

ENVIRONMENTAL/PUBLIC HEALTH CONCERNS:

As EPA Region 6 staff are not as close to or as familiar with Oklahoma public water systems as ODEQ staff, Oklahoma public water systems are not provided the same level of assistance that could be provided by ODEQ District Engineers and field staff. This diminished assistance could lead to increased violations of new regulatory requirements and associated public health risks.

TECHNICAL CONCERNS:

- Decreased Regional travel resources further exacerbate the level of technical assistance (e.g., training sessions, technical conferences, on site visits) that EPA Region 6 staff can provide to Oklahoma public water systems.

REGULATORY/LEGAL REQUIREMENTS:

- The ODEQ rule adoption extension, approved by EPA Region 6, expired in 2010, and ODEQ remains silent on any commitment to adopt and implement new drinking water regulations, unless additional resources are realized by the ODEQ drinking water program. Such a stance places ODEQ in a tenuous position to maintain primacy for the Public Water System Supervision program, and to remain eligible for all federal funds associated with this program.

